

REMARKS

Applicants thank Examiner Juba for the telephone interview granted June 23, 2004 and for his thoughtful consideration of this case. This Application has been carefully reviewed in light of the Office Action mailed April 13, 2004. To clarify various aspects of inventive subject matter and to correct various informalities, Applicants amend Claims 1-6, 8, 11, 13, 14-17, 20-22, 25-26, 31, and 34-37. Applicants also introduce new Claims 43-70 and cancel Claims 12, 23, and 39-42 without prejudice or disclaimer. To advance prosecution of this application, Applicants have responded to each notation by the Examiner. Applicants submit that all of the pending claims are allowable over the cited references. Applicants respectfully request reconsideration, further examination, and favorable action in this case.

Subject Matter Indicated as Allowable

Applicants appreciate the Examiner's notation that Claims 11-13, 22-24, and 31 contain allowable subject matter and would be allowed if rewritten in independent form. Although Applicants believe all original claims are allowable, to expedite issuance of this application Applicants have rewritten Claims 1, 14, and 25 to include elements similar to those from Claims 12 and 23. Moreover, Applicants have rewritten Claims 11, 22, and 31 to include elements similar to those from their respective original base claims. Accordingly, Applicants respectfully request reconsideration and allowance of independent Claims 1, 11, 14, 22, 25, and 31, and all claims depending therefrom.

Applicants also appreciate the Examiner's notation that Claim 34 contains allowable subject matter, and would be allowed if rewritten in independent form and to overcome the rejections under 35 U.S.C. §112, second paragraph. Applicants have amended Claim 32 to include elements similar to those from Claim 34 and to address the Examiner's rejection under §112. Accordingly, Applicants respectfully request reconsideration and allowance of independent Claim 32 and all claims depending therefrom.

Interview Summary

Applicants thank Examiner Juba for the telephone interview granted May 4, 2004 and for his thoughtful consideration of this case. Applicants' attorney conducted a

telephonic interview with Examiner Juba on June 23, 2004. Pursuant to M.P.E.P. §713.04, Applicants submit this summary of the telephonic interview to record Applicants' understanding of the substance of the interview. If Applicants' understanding is inaccurate, notice of such is appreciated.

During the interview, Applicants and the Examiner discussed the amendments to independent Claims 1, 11, 14, 22, 25, 31, and 32, and the introduction of new Claims 43-70. Applicants understand that Claims 1, 11, 14, 22, 25, 31, and 32, and all claims depending therefrom are allowable over the cited references, subject to an updated search.

During the interview, Applicants and the Examiner also discussed potential double patenting rejections relating to the claims in the present patent application. Applicants understand that there are no Statutory Double Patenting rejections. Moreover, without conceding the veracity of any rejection under the judicially created doctrine of obviousness-type double patenting, and solely for the purpose of advancing prosecution in this case, Applicants file herewith a Terminal Disclaimer rendering moot the issue of non-statutory double patenting with respect to the identified patent.

Information Disclosure Statement

Applicants note for the Examiner's convenience that an Information Disclosure Statement is being filed concurrently with this Response. Moreover, Applicants are re-submitting the PTO 1449 form containing proper citations for two of the three "undated" or "date unknown" references indicated by the Examiner. Applicants respectfully request that the Examiner confirm in his next written communication that the Examiner has considered Applicants' Information Disclosure Statement and re-submitted PTO 1449 form.

Objection to the Specification

The Examiner objects to the specification for various informalities. Applicants have amended the specification to address the informalities identified by the Examiner. Applicants respectfully submit that no new matter has been added to the specification. Applicants respectfully request reconsideration and favorable action in this case.

Objection to the Claims

The Examiner objects to the claims as including duplicate Claims 32-38 on page 46. In the present patent application, Claims 32-38 on page 46 are duplicative of Claims 32-38 on page 45. Applicants submit that the duplicate Claims 32-38 on page 46 of the specification were inadvertently produced. Applicants have amended the specification by deleting the duplicate Claims 32-38 on page 46. Applicants note that the Examiner has considered Claims 32-38 on page 45 of the present application and submit that Claims 32-38 on page 45 are still pending in the present application.

The Examiner also objects to Claims 1-13, 16, 17, 20, 21, 22, and 26 because of various informalities. Applicants have amended Claims 1, 3, 4, 16, 17, 20, 21, 22, and 26 to address the informalities identified by the Examiner. Applicants respectfully request reconsideration and favorable action in this case.

Claim Rejections – 35 U.S.C. § 112

The Examiner rejects Claims 8 and 34 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants have amended Claims 8 and 34. Applicants believe these amendments address the Examiner's rejections under §112. Applicants respectfully request reconsideration and favorable action in this case.

Claim Rejections – 35 U.S.C. § 102

The Examiner rejects Claims 1, 3-4, 7-8, 14, 16-18, 25-27, 29-30, 32, 35, and 38 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,905,571, issued to Butler et al. ("*Butler*"). The Examiner further rejects Claims 1-7, 14-19, 25-29, 32-33, 35-39, and 41-42 under 35 U.S.C. § 102(e) as being anticipated by U.S. Publication No. 2002/0079432 A1 to Lee et al. ("*Lee*"). Without addressing the veracity of the Examiner's art rejections, and solely for the purpose of advancing this case expeditiously to issuance, Applicants amend independent Claims 1, 14, 25, and 32 to include previously indicated allowable subject matter and cancel Claims 39-42 without prejudice or disclaimer. Applicants

explicitly reserve the right to traverse some or all of these rejections in another application. Applicants respectfully request withdrawal of the rejection and full allowance of amended Claims 1, 14, 25, and 32, and all claims depending therefrom.

Claim Rejections – 35 U.S.C. § 103

The Examiner further rejects Claims 9-10 and 20-21 under 35 U.S.C. § 103(a) as being unpatentable over *Lee*, in view of U.S. Publication No. 2002/0081070 A1 to Tew ("Tew"). The Examiner further rejects Claims 1-4, 7-8, and 39-42 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,311,360 issued to Bloom et al. ("*Bloom 360*"), in view of "The Grating Light Valve: revolutionizing display technology," by Bloom ("*SiliconLight*"). The Examiner also rejects Claims 32, 35, 38, and 40 under 35 U.S.C. § 103(a) as being unpatentable over *Bloom 360*" and *SiliconLight*," in further view of "The Scanned Grating Light Valve Display Architecture," by Silicon Light Machines ("*SLM*"). Without addressing the veracity of the Examiner's art rejections, and solely for the purpose of advancing this case expeditiously to issuance, Applicants amend independent Claims 1, and 32 to include previously indicated allowable subject matter and cancel Claims 39-42 without prejudice or disclaimer. Applicants explicitly reserve the right to traverse some or all of these rejections in another application. Applicants respectfully request withdrawal of the rejection and full allowance of amended Claims 1 and 32, and all claims depending therefrom.

CONCLUSION

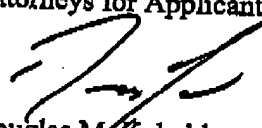
Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request reconsideration and full allowance of all pending Claims.

Applicants hereby authorize the Commissioner to charge \$288.00 to cover the cost of filing the additional claims, \$180.00 to cover the cost for filing an Information Disclosure Statement, and \$55.00 for filing a Terminal Disclaimer. The Commissioner is hereby authorized to charge any additional fees due or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicants


Douglas M. Kuehl
Reg. No. 41,915

Date Filed: 6-24-04

Correspondence Address:

X Customer Number

05073

DAL01:796336